



JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

Division of Oil, Gas & Mining

MICHAEL R. STYLER
Executive Director

JOHN R. BAZA
Division Director

Inspection Report

Minerals Regulatory Program

Report Date May 12, 2006

Supervisor QJZ

Mine Name: Expectation
Operator Name: Mark Miller

Permit number: M0350024
Inspection Date: May 5 and May 9, 2006
Time: 11:40 AM to 12:45 PM on May 5; 12:15-1:10 PM on May 9

Inspector(s): Paul Baker

Other Participants: None on May 5; Karen Rawlings, Salt Lake County Deputy Sheriff on May 9

Mine Status: Active

Weather: Mostly clear, 60's on both days

Elements of Inspection	Evaluated	Comment	Enforcement
1. Permits, Revisions, Transfer, Bonds	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Public Safety (shafts, adits, trash, signs, highwalls)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Protection of Drainages / Erosion Control	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Deleterious Material	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Roads (maintenance, surfacing, dust control, safety)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Concurrent Reclamation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Backfilling/Grading (trenches, pits, roads, highwalls, shafts, drill holes)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Water Impoundments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Soils	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Revegetation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Air Quality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Other	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Purpose of Inspection:

I was notified the operator might be operating outside the permitted area. On May 9, I received a call from Deputy Rawlings because the Sheriff's Office had received a call that the operator might be trespassing.

Inspection Summary:

1. Permits, Revisions, Transfer, Bonds

The operator has a letter of credit in the amount of \$3000 for reclamation surety for 3.2 acres.

2. Public Safety (shafts, adits, trash, signs, highwalls)

There are three trackhoes on site, one of which is not operational (Photo 3). The tracks and other parts have been removed from the trackhoe shown in Photo 3. There is a set of tracks lying on the surface in another part of the disturbed area (Photo 4).

12. Other

I collected GPS data around the perimeter of the disturbed areas, and the map created from this data is attached to this report. Some of the areas were obviously disturbed recently, such as those shown in Photos 1 through 3, 6, and 7. Other areas were disturbed last year and have not been redisturbed. In

Inspection Date: May 5, 2006; Report Date: May 9, 2006
Page 2 of 2
M0350024

some of these areas, I relied on knowledge of plant phenology to judge when it was most likely these areas were disturbed.

Most of the disturbance is in large blocks, such as shown in Photos 2 and 5, but there are several other places where individual small disturbances have been created along the edges of roads and in other areas (Photo 8).

The total area disturbed by mining operations is at least 10.03 acres, and much of the disturbed area is outside the area included in the Notice of Intention to Commence Small Mining Operations. For this reason, I have issued cessation order MC2006-03-04-01. The area I mapped as being disturbed is the minimum disturbed area. There are places outside this area that were probably disturbed by the operator, and the actual disturbed area could be as much as about 13 acres.

Deputy Rawlings and I discussed the role of the Division of Oil, Gas and Mining in regulating mining activity, and she asked how I knew the operator was outside the permitted area. I showed her the map that was created after my inspection on May 5 and explained where we were in relation to the disturbances and the equipment.

The Sheriff's Office was called about a trespass complaint, but I emphasized to Deputy Rawlings that I do *not* know where property boundaries are or whether the operator was trespassing or stealing rock.

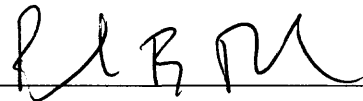
Conclusions and Recommendations:

The reclamation surety amount for this site is the minimum that would be required to reclaim the area shown in the notice; it is not adequate for reclamation of 10 acres or more and for removal of the equipment. For this reason, abatement of the cessation order includes submittal of additional surety. The operator is being given the option of reclaiming the area or submitting a Notice of Intention to Commence Large Mining Operations.

The unoperational trackhoe and the tracks are reclamation liabilities to the Division. The operator needs to remove them from the site.

The Salt Lake County Sheriff's Office case number is 06-39700.

Inspector's Signature



Date:

5/16/06

PBB:pb

cc: Mark Miller

Karen Rawlings, Salt Lake County Deputy Sheriff

Attachment: GPS Map & Photos

P:\GROUPS\MINERALS\WP\M035-SaltLake\S0350024-Expectation\inspections\ins-05052006.doc

ATTACHMENT

Photographs

M0350024, Expectation, Mark Miller

Inspection Dated: May 5 and 9, 2006; Report Dated: May 12, 2006



Photo 1. Recent disturbance.



Photo 3. The trackhoe in the center of the picture did not have tracks or some other vital parts, like a radiator. The one just barely visible on the left had been moved by the May 9 inspection.



Photo 2. The disturbance beyond the road is mostly in the permitted area, but the disturbance in the foreground is outside the permitted area.

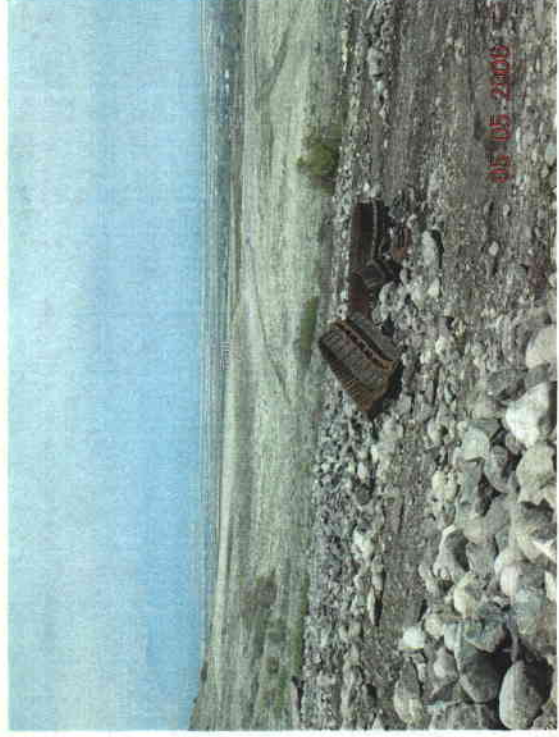


Photo 4. Tracks in an upper disturbed area.



Photo 5. This is the western portion of the disturbed area. Much of this disturbance is permitted.



Photo 6. Another view of the disturbance shown in Photos 2 and 6.



Photo 7.



Photo 8. Some of the disturbance is small pockets from which it appears rocks have been removed.

Mine Number: S350024
Mine Name: Expectation
Township 04 S Range 01 W Section 22 SLBM

Inspection Date May 05, 2006
Map Produced by DKS

Acres Disturbed	10.03
Acres Regraded	0
Acres Seeded	0
Road Acres Disturbed	0
Total Acres Disturbed	10.03
Acres Reclaimed	0
Acres Excluded	0
Acres Prelaw	0

- Legend**
All items symbolized in legend may not be appear on map
- County Boundary
 - Township or range line: location doubtful
 - Access
 - Mine
 - Nonline
 - Other
 - Interstate
 - US Route
 - State Route
 - Primary Route
 - Secondary Route
 - Main Dirt Road
 - Unimproved Road
 - Interchange
 - Trail
 - Section line: location doubtful
 - Disturbed
 - Regraded
 - Seeded
 - Released
 - Excluded
 - Prelaw
 - Bond Area
 - Brinkings/Volades
 - BLMS/BLM Minerals
 - SITLA Mineral Ownership
- DOQ imagery date 2004



Dept. of Natural Resources
Division of Oil, Gas, and Mining
Mineral Mines Program

Different data sources and input scales
may cause misalignment of data layers.
This product may not meet DOGM
standards for accuracy and content.